

## PCT

## INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference <b>29342/36231</b>	<b>FOR FURTHER ACTION</b> see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. <b>PCT/US 00/ 11136</b>	International filing date (day/month/year) <b>26/04/2000</b>	(Earliest) Priority Date (day/month/year) <b>03/08/1999</b>
Applicant <b>LILLY ICOS LLC et al.</b>		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 5 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

## 1. Basis of the report

- a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

- b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing :

☐ contained in the international application in written form.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority in written form.

☐ furnished subsequently to this Authority in computer readable form.

☐ the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☐ the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. ☒ **Certain claims were found unsearchable** (See Box I).

3. ☐ **Unity of Invention is lacking** (see Box II).

4. With regard to the **title**,

☐ the text is approved as submitted by the applicant.

☒ the text has been established by this Authority to read as follows:

**BETA-CARBOLINE PHARMACEUTICAL COMPOSITIONS**

5. With regard to the **abstract**,

☒ the text is approved as submitted by the applicant.

☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the **drawings** to be published with the abstract is Figure No.

☐ as suggested by the applicant.

☐ because the applicant failed to suggest a figure.

☐ because this figure better characterizes the invention.

☐ None of the figures.

## INTERNATIONAL SEARCH REPORT

International Application No

PCT/US 00/11136

## A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 A61K31/495 A61P15/10 A61K9/48

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 A61K

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, PAJ, CHEM ABS Data, BIOSIS

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	<p>WO 97 03675 A (GLAXO WELLCOME LAB SA ;DAUGAN ALAIN CLAUDE MARIE (FR)) 6 February 1997 (1997-02-06) cited in the application page 1, line 31 -page 2, line 8 page 3, line 24 - line 25 page 3, line 30 -page 4, line 16 page 5, line 15 - line 26; example 1 page 16, line 4 - line 9; claims 1,2,4-12; example 1</p> <p style="text-align: center;">---</p> <p style="text-align: center;">-/--</p>	1,3-6, 20,21

☒ Further documents are listed in the continuation of box C.☒ Patent family members are listed in annex.

\* Special categories of cited documents :

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier document but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

"&amp;" document member of the same patent family

Date of the actual completion of the international search

30 August 2000

Date of mailing of the international search report

07/09/2000

Name and mailing address of the ISA

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## INTERNATIONAL SEARCH REPORT

International Application No

PCT/US 00/11136

## C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	✓ WO 96 38131 A (GLAXO GROUP LTD ;BUTLER JAMES MATTHEW (GB)) 5 December 1996 (1996-12-05) cited in the application page 4, line 15 - line 21 page 6, line 5 - line 11 page 7, line 33 -page 8, line 9 page 10, line 29 -page 11, line 3 page 14, line 13 -page 16, line 5 page 18, line 5 -page 19, line 51,2,5 ---	1,20,21
X	✓ WO 99 30697 A (WYLLIE MICHAEL GRANT ;PFIZER PROD INC (US)) 24 June 1999 (1999-06-24) page 3, line 24 -page 4, line 9 page 4, line 23 - line 29 page 5, line 29 -page 6, line 9 page 10, line 14 -page 12, line 12 page 17, line 17 - line 31 ---	1,6,20, 21
A	✓ EP 0 649 651 A (SANDOZ AG ;SCHERER GMBH R P (DE)) 26 April 1995 (1995-04-26) page 2, line 5 - line 24 page 3, line 42 - line 49 page 4, line 41 - line 48; claims 1,6-8; examples -----	1-19

## INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/US 00/11136

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
WO 9703675	A	06-02-1997	AU 704955 B	13-05-1999
			AU 6419196 A	18-02-1997
			BR 9609758 A	26-01-1999
			CA 2226784 A	06-02-1997
			CN 1195290 A	07-10-1998
			CZ 9800033 A	13-05-1998
			EP 0839040 A	06-05-1998
			HU 9900065 A	28-05-1999
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			PL 324495 A	25-05-1998
			SK 3998 A	08-07-1998
WO 9638131	A	05-12-1996	AU 6002696 A	18-12-1996
			EP 0828479 A	18-03-1998
			US 5985326 A	16-11-1999
WO 9930697	A	24-06-1999	AU 9455898 A	05-07-1999
EP 0649651	A	26-04-1995	AU 690571 B	30-04-1998
			AU 7423794 A	13-04-1995
			AU 7511298 A	01-10-1998
			CA 2132933 A	29-03-1995
			CN 1108930 A	27-09-1995
			CZ 9402360 A	12-04-1995
			EP 1029538 A	23-08-2000
			FI 944452 A	29-03-1995
			FR 2710532 A	07-04-1995
			GB 2282586 A,B	12-04-1995
			GB 2317155 A,B	18-03-1998
			HU 70417 A	30-10-1995
			IT RM940613 A,B	28-03-1995
			JP 7149625 A	13-06-1995
			KR 200174 B	15-06-1999
			KR 202331 B	15-06-1999
			NO 943563 A	29-03-1995
			NZ 264536 A	25-09-1996
			PL 305188 A	03-04-1995
			RU 2140783 C	10-11-1999
			SG 46531 A	20-02-1998
			SK 115794 A	10-05-1995
			US 5985321 A	16-11-1999
			ZA 9407567 A	28-06-1996

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

## Continuation of Box I.2

Claim 21 does not meet the requirements of Article 6 PCT in that the subject-matter for which protection is sought is not clearly defined. A lack of clarity (and/or conciseness) within the meaning of Article 6 PCT arises to such an extent as to render a meaningful search of the claims impossible. Consequently, the search has been carried out for those parts of the application which do appear to be clear (and/or concise), namely claim 21 insofar as a composition according to claims 1-20 was concerned.

The applicant's attention is drawn to the fact that claims, or parts of claims, relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure.